



Strasbourg, 15 September 2026

T-PVS/Files(2026)2024/05_gov

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

46th meeting

Strasbourg, 7-11 December 2026

Bureau of the Standing Committee

22-24 September 2026

Strasbourg

Stand-By File: 2024/05

**Alleged threat to habitat and protected species from the
'Upper Horizons' Hydropower Project (Bosnia &
Herzegovina)**

- COMPLAINANT REPORT -

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Update for the Autumn Bureau Meeting**PROGRESS REPORT (02)****Bosnia and Herzegovina**

Report of Bosnia and Herzegovina for the Bureau meeting of 22 to 24 September 2026
11th September 2026

Abstract

In September 2024, the Secretariat of the Bern Convention received a new complaint. The complainants allege threat to habitat and protected species from the 'Upper Horizons' Hydropower Project, which would violate provisions of the Convention.

Bosnia and Herzegovina, and specifically the Republic of Srpska entity, has violated Articles 3, 4, 5, 7 and 10 of the Bern Convention by approving the construction of the Upper Horizons hydropower scheme (Gornji Horizonti). It is currently building the first of three planned large hydroelectric plants, namely Dabar on the Zalomka River, with an installed capacity of 159.15 MW. The Nevesinje (60 MW) and Bileća (33 MW) plants are also planned.

Based on the above – especially the fact that the hydropower infrastructure of the 'Upper Horizons' system has been planned since the mid-20th century – it is clear that all procedures have been carried out in accordance with spatial planning documentation. This must be taken into account when discussing the purpose of the project area. This fact is also acknowledged by the complainants, who in their submission state: “Upper Horizons Hydropower Project were originally envisioned in the mid-20th century and...” This observation must be considered when addressing the 'Upper Horizons' system and should be respected when developing assumptions for alternative land uses.

In addition, the procedure for renewing the environmental permit was conducted fully in line with the provisions of the Law on Environmental Protection. Therefore, the allegation in the complaint that the renewal process was not publicly announced is unfounded. Specifically, the 2022 permit renewal procedure for the "Dabar" HPP was carried out in accordance with applicable regulations, and the decision was made public by posting it on the Ministry's website.

On 9 June 2025, the Ministry of Spatial Planning, Construction and Ecology was informed that a complaint had been submitted to the Secretariat of the Bern Convention by the Association “Resource Aarhus Center in B&H”, the Center for the Environment, RiverWatch, CEE Bankwatch Network, and EuroNatur concerning an alleged threat to habitat and protected species posed by the 'Upper Horizons' Hydropower Project.

A case file has not been opened based on the complaint, but the Ministry of Spatial Planning, Construction and Ecology has been requested to provide a statement regarding the allegations in the complaint.

In view of the above, the Ministry of Spatial Planning, Construction and Ecology provides the following statement:

'Upper Horizons' Hydropower Project consists of three hydropower plants, among which the EIA (Environmental Impact Assessment - Annex I-EIA_HPP_DABAR) procedure for the "Dabar" HPP was conducted in 2011/2012, and an environmental permit was issued in 2012. In accordance with the Law on Environmental Protection, the Environmental permit was renewed in 2022.

The key reason for implementing the 'Upper Horizons' Hydropower Project lies in the fact that the project has been planned since 1976 (Annex I-EIA_HPP_DABAR). Its implementation enables the accumulation of part of the water during periods of intensive precipitation, in order to allow for its multipurpose use throughout the year and to fulfill the following essential objectives:

- to prevent (or minimize) the flooding of the Nevesinjsko polje, Dabarsko polje, and Fatničko polje (karst fields) in order to enable the local population to carry out agricultural and livestock activities without impediments,
- to retain water available for multipurpose use as long as possible,
- to enable irrigation of the above-mentioned karst fields,
- to enable irrigation of the Dubrave and Bilečko polje during the vegetation period,
- to resolve the water supply issue in this part of Herzegovina,
- to utilize part of these waters for energy production at the Gornji Horizonti power plants and downstream power plants that are already in operation,
- to increase the minimum flow of the Bregava River through Stolac,
- to establish a permanent watercourse through the Bilečko polje.

Large elevation differences and relatively short distances between the locations where the hydropower plants are planned and the Adriatic Sea, as well as the fact that four karst fields (Nevesinjsko polje, Fatničko polje, Gatačko polje and Cerničko polje) lie on four elevation levels, allow the water to be used at multiple stages for energy generation (hydropower plants) and for hydromelioration of large areas in Eastern Herzegovina.

The environmental impact assessment procedure for the "Dabar" HPP was conducted transparently, with timely notification of the Federal Ministry of Environment and Tourism and the Republic of Croatia, in accordance with the provisions of the Convention on Environmental Impact Assessment in a Transboundary Context – the Espoo Convention ("Official Gazette of BiH – International Treaties", No. 08/09), whose provisions have been transposed into the Law on Environmental Protection ("Official Gazette of Republika Srpska", Nos. 71/12, 79/15, and 70/20).

To thoroughly assess inter-entity and international impacts of the project, a specialized institution from the Federation of Bosnia and Herzegovina was engaged to prepare the segment of the Environmental Impact Study titled "Environmental Impact Study – Water Segment" for the "Dabar" HPP.

It is important to note that earlier research and scientific studies related to the 'Upper Horizons' Hydropower Project strongly emphasized the application of the integrated water management concept. Recommendations followed, suggesting that project solutions be evaluated not only from a hydro-energy perspective but also for their effects in water supply, irrigation, flood protection, the socio-economic aspect of balanced regional development, environmental impacts, and other considerations. Moreover, previous studies concluded that different user interests in the system can only be harmonized through integrated management over a wider area (basins of the Trebišnjica and Neretva rivers), in terms of both water quality and quantity.

Based on the above – especially the fact that the hydropower infrastructure of the 'Upper Horizons' system has been planned since the mid-20th century – it is clear that all procedures have been carried out in accordance with spatial planning documentation (Annex II - Energy Sector_Spatial plan_BiH_1981-2000; Annex III - Energy Sector_Spatial plan_Republika Srpska_1996-2015; Annex IV - Energy Sector_Spatial plan_Republika Srpska_2015; Annex V - Energy Sector_Spatial plan_Republika Srpska_2025). This must be taken into account when discussing the purpose of the project area. This fact is also acknowledged by the complainants, who in their submission state: “Upper Horizons Hydropower Project were originally envisioned in the mid-20th century and...” This observation must be considered when addressing the 'Upper Horizons' system and should be respected when developing assumptions for alternative land uses.

In addition, the procedure for renewing the environmental permit was conducted fully in line with the provisions of the Law on Environmental Protection. Therefore, the allegation in the complaint that the renewal process was not publicly announced is unfounded. Specifically, the 2022 permit renewal procedure for the "Dabar" HPP was carried out in accordance with applicable regulations, and the decision was made public by posting it on the Ministry's website.

The allegations of the complainants regarding the positions of competent courts in legal proceedings related to the "Dabar" HPP are not relevant to this complaint. Judicial decisions are binding on the competent authorities, and the construction permits issued for the "Dabar" HPP facilities are valid. It is important to note that the reissued construction permits were issued in accordance with the legal interpretation of the court that ruled in the administrative dispute.

During the planning and construction phase of the 'Upper Horizons' Hydropower Project, the competent authorities did not possess the data on species and habitats mentioned in the submitted Complaint, nor during the proposal submission period for the candidate Emerald sites Dabarsko Polje (SiteCode: BA0000024) and Fatničko Polje (SiteCode: BA0000023). The official data forms for these sites, the so-called SDF forms (Emerald Standard Data Forms), do not contain information on species and habitats, except for three species in Fatničko Polje: A091 *Aquila chrysaetos*, 1352 *Canis lupus*, and A103 *Falco peregrinus*. Regarding recent data, the competent authorities have information about biodiversity research conducted in Fatničko and Dabarsko Polje, performed by Center for the Environment.

With regard to the 'Upper Horizons' Hydropower Project, the Ministry of Spatial Planning, Construction and Ecology of Republic of Srpska wishes to emphasise that an ongoing exchange of information is maintained with the Ministry of Environment and Tourism of the Federation of Bosnia and Herzegovina. The issues related to the project are also addressed within the framework of the Inter-Entity Body, including at its most recent session, held on 31 July 2026.

The Ministry of Spatial Planning, Construction and Ecology of Republic of Srpska further maintains communication with the Federal Ministry of Environment and Tourism, non-governmental organisations and other relevant stakeholders concerning matters related to the project and its potential environmental implications.

In light of the above, the Ministry of Spatial Planning, Construction and Ecology of Republic of Srpska does not consider that the opening of a new case file under the Bern Convention concerning the Upper Horizons project is warranted at this stage. It considers that any new information or developments concerning the Project should instead be communicated and duly considered within the framework of the existing recommendations adopted under the Bern Convention.

The Ministry remains committed to continued cooperation with the relevant authorities, institutions and stakeholders, and to providing relevant information concerning the implementation of the existing recommendations, as appropriate Recommendation No. 217 (2022).

The relevant annexes previously delivered are:

Annex I - EIA_HPP_DABAR

Annex II - Energy Sector_Spatial plan_BiH_1981-2000

Annex III - Energy Sector_Spatial plan_Republika Srpska_1996-2015

Annex IV - Energy Sector_Spatial plan_Republika Srpska_2015

Annex V - Energy Sector_Spatial plan_Republika Srpska_2025